



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/652,502	08/31/2000	Leon Wong	14917.1124USU1/150707.02	3677
27488	7590	01/23/2009		
MERCHANT & GOULD (MICROSOFT)			EXAMINER	
P.O. BOX 2903			GOLD, AVI M	
MINNEAPOLIS, MN 55402-0903				
			ART UNIT	PAPER NUMBER
			2457	
			MAIL DATE	DELIVERY MODE
			01/23/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/652,502	Applicant(s) WONG ET AL.	
	Examiner AVI GOLD	Art Unit 2457	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to the amendment filed on October 24, 2008. Claims 1, 10, 18, 19, and 26-29 were amended. Claims 1-4 and 6-32 are pending.

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 18 and 26-28 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 18 and 26-28 include a computer storage medium. In view of Applicant's disclosure, specification, page 8, line 21 – page 9, line 13, there is a computer readable storage medium that is not limited to tangible embodiments (i.e. wireless connection for transfer is considered a computer readable medium). As such, the claim is not limited to statutory subject matter and is therefore non-statutory.

Specification

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claims 18 and 26 include a computer storage medium. Claims 27 and 28 include a computer program product.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 6-8, 10-14, 16-22, 24-27, 29 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bunney, U.S. Patent No. 6,487,584 further in view of Shah et al., U.S. Patent No. 6,606,647.

Bunney teaches the invention substantially as claimed including a multiple personality internet account (see abstract).

As to claim 1, Bunney teaches at a server computer system that is network connectable to a plurality of client computer systems, at least first and second client computer systems being configured to indicate a status for and to send and receive electronic messages for an electronic messaging user identified by a user identification, a method for updating a master status of the electronic messaging user notwithstanding that the first client computer system and second client computer system may indicate different statuses for the electronic messaging user, the master status being the status that is reflected to other client computer systems, the method comprising:

maintaining at the server a first view status for the electronic messaging user identified by the user identification, the first view status indicating the status of the

electronic messaging user as detected at the first client computer system when the user is logged on via the first client computer system as an electronic messaging user (col. 1, lines 60-67, Bunney discloses an address a user has logged in with on a certain terminal);

maintaining at the server a second view status for the electronic messaging user identified by the user identification, the second view indicating the status of the electronic messaging user as detected at the second client computer system when the user is logged on via the second client computer system as an electronic messaging user (col. 1, lines 60-67);

receiving at the server a first status update from the first client computer system, the first status update indicating that the first client computer system has detected a change in the status of the electronic messaging user identified by the user identification, the change in status corresponding to the first computer system (col. 7, lines 5-7, Bunney discloses that users can be available, away, invisible, or busy);

in response to receiving the first status update, the server evaluating at least the first status update, the first view status and the second view status according to specified status rules to determine the status of the electronic messaging user identified by the user identification, wherein the status does not necessarily reflect the first status update (col. 9, lines 1-20, Bunney discloses the server checking the table to see which address to send a notification to; col. 7, lines 10-15, col. 9, lines 33-35, Bunney discloses the use of being invisible, in predefined identities, to other users which will not reflect a change in status); and

storing the status at the server in a master view corresponding to the electronic messaging user identified by the user identification; and

reflecting an indication of the status for the electronic messaging user identified by the user identification to other electronic messaging users (col. 7, lines 5-30, col. 9, lines 25-35, Bunney discloses a user's main status shown to other users is stored at the server).

Bunney fails to teach the limitation further including the user being logged on via both the first client computer system and the second client computer system as an electronic messaging user, a master status, and reflecting an indication of the master status to other users.

However, Shah teaches a method for routing messages to achieve unified communications (see abstract). Shah teaches the use of a user logged into different computers at the same time, a log on status of users that is evaluated based on the status at the user's various computers and recent activity on them, and providing the log on status to the users (col. 5, lines 33-43, col. 12, lines 13-32, col. 14).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bunney in view of Shah to have a user being logged on via both the first client computer system and the second client computer system as an electronic messaging user, a master status, and reflecting an indication of the master status to other users. One would be motivated to do so because it allows the user to be logged onto multiple devices and it allows other users to find them based on their state.

Regarding claim 2, Bunney teaches a method as defined in claim 1, further comprising:

associating a first view identifier with the first view status; and

associating a second view identifier with the second view status. (fig. 3, Bunney discloses a table for each users multiple user profiles).

Regarding claim 3, Bunney teaches a method as defined in claim 1, further comprising:

updating the first view status in accordance with the first status update (col. 7, lines 5-7; col. 9, lines 16-20).

Regarding claim 4, Bunney teaches a method as defined in claim 1, wherein evaluating further comprises determining whether the master status should reflect the first status update (col. 7, lines 5-30).

Regarding claim 6, Bunney teaches a method as defined in claim 1, wherein the storing further comprises changing the master status to the status indicated in the first status update (col. 7, lines 5-30).

Regarding claim 7, Bunney teaches a method as defined in claim 1, wherein the storing further comprises retaining the master status even though the status indicated in

the first status update differs from the master status (col. 9, lines 25-32; Bunney discloses a status change to one identity does not affect his main identity).

Regarding claim 8, Bunney teaches a method as defined in claim 1, wherein the evaluating further comprises changing the master status according to a priority system (col. 9, lines 21-35 Bunney discloses a main status based on how a user set it for each identity).

As to claim 10, Bunney teaches at a server that is network connectable to a plurality of clients, each client in the plurality of clients maintaining a status for an electronic messaging user identified by a user identification, client configured to receive electronic messages addressed to the electronic messaging user identified by the user identification, the electronic messaging user having presence information maintained at the server, a method for updating the presence information that is to be reflected to subscribers, the method comprising the steps of:

creating at the server a view status for each of the one or more clients in the plurality of clients, each view status representing the status of the electronic messaging user identified by the user identification detected at a corresponding client, each view status being identified by a unique view identifier (col. 1, lines 60-67, fig. 3);

collecting at the server the presence information for the electronic messaging user identified by the user identification based on an evaluation of each view status such that the consolidated presence information is representative of a current status of

the electronic messaging user even if some view statuses differ, wherein the presence information is maintained in a master view;

receiving at the server a status update from one of the one or more clients; and
updating in the master view at the server the presence information for the electronic messaging user identified by the user identification based on an evaluation of the status update and each view status, wherein the updated view at the server does not necessarily reflect the status update received from the one of the one or more clients (col. 7, lines 5-30, col. 9, lines 25-35).

Bunney fails to teach the limitation further including the electronic messaging user being logged on as an electronic messaging user through at least two clients at the same time and consolidated presence information.

However, Shah teaches a method for routing messages to achieve unified communications (see abstract). Shah teaches the use of a user logged into different computers at the same time, a log on status of users that is evaluated based on the status at the user's various computers and recent activity on them, and providing the log on status to the users (col. 5, lines 33-43, col. 12, lines 13-32, col. 14).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bunney in view of Shah to have the electronic messaging user logged on as an electronic messaging user through at least two clients at the same time and consolidated presence information. One would be motivated to do so because it allows the user to be logged onto multiple devices and it allows other users to find them based on their state.

Regarding claim 11, Bunney teaches a method as defined in claim 10, wherein creating further comprises receiving a first status change at the server, the first status change being representative of an initial status of one of the one or more clients (col. 7, lines 5-7, col. 9, lines 16-20).

Regarding claim 12, Bunney teaches a method as defined in claim 10, wherein consolidating the presence information further comprises comparing each view status to determine a current status of the user, the current status corresponding to the presence information (col. 7, lines 5-30, col. 9, lines 1-35).

Regarding claim 13, Bunney teaches a method as defined in claim 10, wherein each status update is reflected in an associated client view status, the associated client view status being identified by a view identifier sent with each status update (fig. 3, col. 7, lines 5-7, col. 9, lines 16-20).

Regarding claim 14, Bunney teaches a method as defined in claim 10, wherein updating further comprises changing the presence information according to a priority system (col. 9, lines 21-35).

Regarding claim 16, Bunney teaches a method as defined in claim 10, wherein updating presence information in the master view to the further comprises reflecting the updated subscribers (col. 7, lines 5-30).

Regarding claim 17, Bunney teaches a method as defined in claim 10, wherein updating further comprises changing the client view status associated with the status change, such that the client view status accurately reflects the status change (fig. 3, col. 7, lines 5-30, col. 9, lines 16-20).

Regarding claim 18, Bunney teaches a computer storage medium having computer executable instructions for performing the method recited in claim 10 (col. 5, lines 17-19, Bunney discloses process servers that execute software processes).

As to claim 19, Bunney teaches in an instant messaging group having a user associated with multiple clients, each client configured to detect a status of the user and to send and receive electronic messages for the user, the user having consolidated presence information representative of a master status stored at a server, the master status representing the status that is reflected to subscribers even if the user status detected at some of the multiple clients differs, a method for reflecting the master status to subscribers, the method comprising the steps of:

for each of the multiple clients, creating at the server a client view status at a server when each of the multiple clients sends a first status change to the server, each

client view status representing the status of the user as detected at a corresponding client (col. 1, lines 60-67);

assigning at the server a view identifier to each client view status when the first status change is received at the server, wherein each view identifier associates one of the multiple clients with a corresponding client view status (fig. 3, col. 7, lines 5-7, col. 9, lines 16-20);

setting at the server the status based on an evaluation of each client view status, wherein the status does not necessarily reflect the most recent status changed received at the server (col. 7, lines 5-30, col. 9, lines 25-35);

for each subsequent status change received from one of the multiple clients at the server, updating the status in accordance with an evaluation of the subsequent status change and each client view status, wherein the presence information reflected to the subscribers corresponds to the status (col. 7, lines 5-30, col. 9, lines 21-35).

Bunney fails to teach the limitation further including the user being logged on to at least two clients at the same time to receive electronic messages, a master status, and the presence information reflected to the subscribers corresponding to the master status.

However, Shah teaches a method for routing messages to achieve unified communications (see abstract). Shah teaches the use of a user logged into different computers at the same time, a log on status of users that is evaluated based on the status at the user's various computers and recent activity on them, and providing the log on status to the users (col. 5, lines 33-43, col. 12, lines 13-32, col. 14).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bunney in view of Shah to have a user being logged on to at least two clients at the same time to receive electronic messages, a master status, and the presence information reflected to the subscribers corresponding to the master status. One would be motivated to do so because it allows the user to be logged onto multiple devices and it allows other users to find them based on their state.

Regarding claim 20, Bunney teaches a method as defined in claim 19, wherein the client view status is representative of a current status of an associated client (col. 1, lines 60-67, col. 7, lines 5-7, col. 9, lines 16-20).

Regarding claim 21, Bunney teaches a method as defined in claim 19, wherein setting the master status further comprises reflecting the master status to the subscribers (col. 7, lines 5-30).

Regarding claim 22, Bunney teaches a method as defined in claim 19, wherein updating the master status further comprises changing the master status according to a priority system (col. 9, lines 21-35).

Regarding claim 24, Bunney teaches a method as defined in claim 19, wherein the master status reflected to the subscribers is representative of a current status of the user (col. 7, lines 5-30).

Regarding claim 25, Bunney teaches a method as defined in claim 19, further comprising selecting one of the client view statutes to be represented in the master status (col. 9, lines 21-35).

Regarding claim 26, Bunney teaches a computer storage medium having computer-executable instructions for performing the method recited in claim 19 (col. 5, lines 17-19).

As to claim 27, Bunney teaches a computer program product for use in an instant messaging system having a user associated with one or more clients, each client in the one or more clients configured to detect a status of the user and to send and receive electronic messages for the user, the user having presence information reflected to subscribers, the computer program product for implementing a method for updating the presence information, the computer program product comprising:

a computer storage medium carrying executable instructions that, when executed, cause a server to perform the following:

create at the server a view status for each of the one or more clients, each view status representing the status of the user detected at a corresponding client, each view status being identified by a unique view identifier (col. 1, lines 60-67, fig. 3);

collect at the server presence information for the user based on an evaluation of each view status such that the presence information is representative of a current status of the user;

receive at the server a status update from one of the one or more clients;

update at the server the presence information for the user according to the status update, wherein the presence information for the user does not necessarily reflect the most recent status update; and

reflect at the server the presence information to the subscribers such that appropriate presence information is provided to the subscribers even if some view statuses differ (col. 7, lines 5-30, col. 9, lines 16-35).

Bunney fails to teach the limitation further including the user being logged on to at least two clients at the same time to receive electronic messages, consolidated presence information, and reflecting at the server the updated consolidated presence information.

However, Shah teaches a method for routing messages to achieve unified communications (see abstract). Shah teaches the use of a user logged into different computers at the same time, a log on status of users that is evaluated based on the status at the user's various computers and recent activity on them, and providing the log on status to the users (col. 5, lines 33-43, col. 12, lines 13-32, col. 14).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bunney in view of Shah to have a user being logged on to at least two clients at the same time to receive electronic messages, consolidated presence

information, and reflecting at the server the updated consolidated presence information. One would be motivated to do so because it allows the user to be logged onto multiple devices and it allows other users to find them based on their state.

As to claim 29, Bunney a method in a server for generating a master presence status of a user who is online via multiple clients at the same time, the method comprising:

for each of the multiple clients through which the user is currently online, receiving at the server a client presence status of the user as reported by the client (col. 1, lines 60-67); and

generating the presence status representing a current presence status of the user based on the received client presence statuses reported by the multiple clients, wherein the presence status does not necessarily reflect the most recently received client presence status of the user as reported by the client (col. 7, lines 10-15, col. 9, lines 1-35).

Bunney fails to teach the limitation further including the user being logged on via multiple clients at the same time and generating a master presence status.

However, Shah teaches a method for routing messages to achieve unified communications (see abstract). Shah teaches the use of a user logged into different computers at the same time, a log on status of users that is evaluated based on the status at the user's various computers and recent activity on them, and providing the log on status to the users (col. 5, lines 33-43, col. 12, lines 13-32, col. 14).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bunney in view of Shah to have a user being logged on via multiple clients at the same time and generating a master presence status. One would be motivated to do so because it allows the user to be logged onto multiple devices and it allows other users to find them based on their state.

Regarding claim 32, Bunney teaches the method of claim 29 including upon receiving at the server and indication that the client presence status of a client has changed, setting the master presence status based on the changed client presence status (col. 7, lines 5-30).

5. Claims 9, 15, 23, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bunney and Shah in view of Aravamudan et al., U.S. Patent No. 6,301,609 further in view of Munday et al., U.S. Patent No. 6,480,593.

Bunney teaches the invention substantially as claimed including a multiple personality internet account (see abstract). Shah teaches the invention substantially as claimed including a method for routing messages to achieve unified communications (see abstract).

As to claims 9, 15, 23, and 28, Bunney and Shah teach a method and computer program product as defined in claims 8, 14, 22, and 27, wherein changing the master status according to a priority system further comprises:

changing the master status to offline if the first status update indicates the electronic messaging user identified by the user identification is invisible (col. 7, lines 10-15, Bunney discloses the use of being invisible to other users).

Bunney and Shah fail to teach the limitation further including refraining from changing the master status if the first status update indicates the electronic messaging user identified by the user identification is offline; refraining from changing the master status if the first status update indicates the electronic messaging user identified by the user identification is idle; changing the master status to offline if the first status update indicates the electronic messaging user identified by the user identification is offline and one or more remaining view statuses associated with the messaging client, including the second view status, indicate the electronic messaging user identified by the user identification is offline; and changing the master status to idle if the first status update indicates the electronic messaging user identified by the user identification is idle and one or more remaining view statuses associated with the messaging client, including the second view status, indicate the electronic messaging user identified by the user identification is idle or offline.

However, Aravamudan teaches the use of instant messaging in conjunction with access to data and communication network channels and modes (see abstract).

Aravamudan teaches the use of the proxy always appearing available to the buddy (col. 9, lines 64-67; col. 10, lines 1-51) and real presence being advertised to other who have identified the user as a buddy (col. 9, lines 45-67; col. 10, lines 1-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bunney and Shah in view of Aravamudan to refrain from changing the master status if the first status update indicates the electronic messaging user identified by the user identification is offline; change the master status to offline if the first status update indicates the electronic messaging user identified by the user identification is offline and one or more remaining view statuses associated with the messaging client, including the second view status, indicate the electronic messaging user identified by the user identification is offline; and change the master status to idle if the first status update indicates the electronic messaging user identified by the user identification is idle and one or more remaining view statuses associated with the messaging client, including the second view status, indicate the electronic messaging user identified by the user identification is idle or offline. One would be motivated to do so because it would result in the most accurate presence for a user.

Bunney, Shah, and Aravamudan fail to teach refraining from changing the master status if the first status update indicates the electronic messaging user identified by the user identification is idle.

However, Munday teaches a communications system automatically diverting calls when user is not present (see abstract). Munday teaches the use of keeping the main status when a computer is determined idle (col. 4, lines 51-67; col. 5, lines 1-18).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bunney and Shah in view of Munday to refrain from changing the master status if the first status update indicates the electronic messaging user identified

by the user identification is idle. One would be motivated to do so because it would allow a user to always appear available at their computer.

6. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bunney and Shah in view of Munday et al., U.S. Patent No. 6,480,593.

Bunney teaches the invention substantially as claimed including a multiple personality internet account (see abstract). Shah teaches the invention substantially as claimed including a method for routing messages to achieve unified communications (see abstract).

As to claim 30, Bunney and Shah teach the method of claim 29, wherein when the client presence status reported by one client indicates that the user is busy, setting the master presence status to indicate that the user is busy (col. 7, lines 5-30).

Bunney and Shah fail to teach the limitation further including a client that indicates that the user is idle and setting the master presence status to indicate that the user is busy if another client is indicated as busy.

However, Munday teaches a communications system automatically diverting calls when user is not present (see abstract). Munday teaches the use of keeping the main status when a computer is determined idle (col. 4, lines 51-67; col. 5, lines 1-18).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bunney and Shah in view of Munday to include a client that indicates that the user is idle and setting the master presence status to indicate that the

user is busy if another client is indicated as busy. One would be motivated to do so because it would allow a user to always appear available at their computer.

7. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bunney and Shah in view of Aravamudan et al., U.S. Patent No. 6,301,609.

Bunney teaches the invention substantially as claimed including a multiple personality internet account (see abstract). Shah teaches the invention substantially as claimed including a method for routing messages to achieve unified communications (see abstract).

As to claim 31, Bunney and Shah teach the method of claim 29.

Bunney and Shah fail to teach the limitation further including wherein the client presence status reported by all but one client indicates that the client is offline, setting the master presence status to the client presence status of the client through which the user is currently online.

However, Aravamudan teaches the use of instant messaging in conjunction with access to data and communication network channels and modes (see abstract).

Aravamudan teaches the use of the proxy always appearing available to the buddy (col. 9, lines 64-67; col. 10, lines 1-51) and real presence being advertised to other who have identified the user as a buddy (col. 9, lines 45-67; col. 10, lines 1-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bunney and Shah in view of Aravamudan wherein the client presence status reported by all but one client indicates that the client is offline, setting

the master presence status to the client presence status of the client through which the user is currently online. One would be motivated to do so because it would result in the most accurate presence for a user.

Response to Arguments

8. Applicant's arguments with respect to the newly added limitation have been considered but are moot in view of the new ground(s) of rejection.

9. Applicant's arguments, regarding Bunney and Shah, filed October 24, 2008 have been fully considered but they are not persuasive.

10. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). It is the combination of Bunney and Shah that allows for a master status to be an evaluation of all active clients. The invisibility of a client in Bunney combined with Shah discloses that a newly logged-on client can be undetected and not be represented as the primary client (master status).

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,564,261 to Gudjonsson et al.

U.S. Pat. No. 6,519,639 to Glasser et al.

U.S. Pat. No. 6,148,328 to Cuomo et al.

U.S. Pat. No. 5,943,478 to Aggarwal et al.

U.S. Pat. No. 5,909,543 to Tanaka et al.

U.S. Pat. Pub. No. 2002/0198952 to Bell.

U.S. Pat. No. 6,463,471 to Dreke et al.

Art Unit: 2457

U.S. Pat. No. 5,825,864 to McGraw et al.

U.S. Pat. No. 5,757,901 to Hiroshige.

U.S. Pat. No. 6,697,840 to Godefroid et al.

U.S. Pat. No. 5,315,636 to Patel.

U.S. Pat. No. 6,678,719 to Stimmel.

U.S. Pat. No. 6,668,167 to McDowell et al.

U.S. Pat. No. 5,596,633 to Meier et al.

U.S. Pat. No. 6,389,127 to Vardi et al.

U.S. Pat. No. 6,473,098 to Wakai et al.

U.S. Pat. Pub. No. 2001/0042126 to Wong et al.

U.S. Pat. No. 6,658,095 to Yoakum et al.

U.S. Pat. No. 6,668,173 to Greene.

U.S. Pat. Pub. No. 2002/0019942 to Wakai et al.

U.S. Pat. No. 6,141,662 to Jeyachandran

U.S. Pat. No. 6,549,937 to Auerbach et al.

U.S. Pat. No. 5,764,639 to Staples et al.

U.S. Pat. No. 6,678,719 to Stimmel

U.S. Pat. No. 6,349,327 to Tang et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AVI GOLD whose telephone number is (571)272-4002.

The examiner can normally be reached on M-F 8:00-5:30 (1st Friday Off).

Art Unit: 2457

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Avi Gold

Patent Examiner

Art Unit 2157

AMG

/Salad Abdullahi/

Primary Examiner, Art Unit 2457